

3:16-cv-00222-RJC
(3:05-cr-00227-RJC)

Respondent.

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4640, in which the Court will examine whether the residual clause of 18 U.S.C. § 924(c)(3)(B) is unconstitutional based on the Johnson decision. Both of these cases are tentatively scheduled for oral argument in October.

The Court finds that because the issues involved in the Ali and Simms case are likely relevant to resolution of Petitioner's case, the Court will grant Respondent's motion.

IT IS, THEREFORE, ORDERED that Respondent's motion to stay is **GRANTED**, (Doc. No. 4), and Respondent shall have 45-days after the mandates issue in United States v. Ali and United States v. Simms to file a response to Petitioner's § 2255 Motion to Vacate.

SO ORDERED.

Signed: September 6, 2016

A handwritten signature in dark ink, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

